MEMORANDUM

DATE:

September 22, 2014

TO:

Zoning Review Office

FROM:

Office of Administrative Hearings

RE:

Case No. 2015-0020-A - Appeal Period Expired

The appeal period for the above-referenced case expired on September 18, 2014. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: Case File

Office of Administrative Hearings

IN RE: PETITION FOR ADMIN. VARIANCE (2372 Sweet Meadow Road)

3rd Election District 2nd Councilmanic District Matthew T. Holley & Rebecca Snyder Petitioners BEFORE THE

OFFICE OF

ADMINISTRATIVE HEARINGS

FOR BALTIMORE COUNTY

Case No. 2015-0020-A

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County as a Petition for Administrative Variance filed by the legal owners of the subject property, Matthew T. Holley and Rebecca Snyder. The variance request is from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a rear yard deck with a rear yard setback of 15' in lieu of the required 22.5'. The subject property and requested relief are more particularly described on Petitioners' Exhibit No. 1.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. There were no adverse ZAC comments received from any of the County reviewing agencies. However, it is to be noted that a letter of support was received from adjacent neighbors who reside at 2370 Sweet Meadow Road.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted on July 29, 2014, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by § 32-3-303 of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the principal of the public and should therefore be granted. In the principal of the public and should therefore be granted.

information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of § 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED, by the Administrative Law Judge for Baltimore County, this 19th day of August, 2014, that a Variance from Section 1B01.2.C.1.b of the Baltimore County Zoning Regulations ("B.C.Z.R."), to permit a rear yard deck with a rear yard setback of 15' in lieu of the required 22.5', be and is hereby GRANTED, subject to the following:

The relief granted herein shall be subject to the following:

1. Petitioners may apply for their appropriate permits and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioners would be required to return, and be responsible for returning, said property to its original condition.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

JOHN E. BEVERUNGEN Administrative Law Judge for Baltimore County

JEB:dlw

Date SIGNATURE By______



KEVIN KAMENETZ County Executive LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
Administrative Law Judge

August 19, 2014

Matthew T. Holley Rebecca Snyder 2372 Sweet Meadow Road Baltimore, Maryland 21209

RE: Petition for Administrative Variance

Case No. 2015-0020-A

Property: 2372 Sweet Meadow Road

Dear Petitioners:

Enclosed please find a copy of the decision rendered in the above-captioned matter

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the Baltimore County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Baltimore County Office of Administrative Hearings at 410-887-3868.

Sincerely,

JOHN E. BEVER UNGEN Administrative Law Judge for Baltimore County

JEB:dlw Enclosure

AD ISTRATIVE ZONING POTION

To be filed with the Departme	ICE – OR – ADMINISTRATIVE SPECIAL HEARING ent of Permits, Approvals and Inspections
	earings for Baltimore County for the property locate
	core, mo alage Currently zoned OR 2
Deed Reference / Owner(s) Printed Name(s) Matthew Thanks I:	10 Digit Tax Account # 2 5 0 0 0 0 7 3 6 7
Owner(s) Fillied Name(s) Thatthee Thanks	bley, Rebecce Lyan Jaycer
(SELECT THE HEARING(S) BY MARKING \underline{X} AT THE A	PPROPRIATE SELECTION(S) AND ADDING THE PETITION REQUEST)
For Administrative Variances, the Affidavit on	the reverse of this Petition form must be completed and notarized.
The undersigned, who own and occupy the property situ attached hereto and made a part hereof, hereby petition	uate in Baltimore County and which is described in the plan/plat in for an:
1. X ADMINISTRATIVE VARIANCE from Section(s)	BCZR: 1801.2.C.1.6 >
TO PERMIT A REAR YARD BECK W	UITH A REAR YARD SETBACK OF 15 FEET
IN LIEU OF THE REQUIRED 22%	'a fret.
of the zoning regulations of Baltimore County, to the zon	ning law of Baltimore County.
2 ADMINISTRATIVE SPECIAL HEARING to appropriate County Code: (indicate type of work in this space: i.e., to	pprove a waiver pursuant to Section 32-4-107(b) of the Baltimo oraze, alter or construct addition to building)
of the Baltimore County Code, to the development law of Property is to be posted and advertised as prescribed by the zoning rely we agree to pay expenses of above petition(s), advertising, posting, Baltimore County adopted pursuant to the zoning law for Baltimore County adopted pursuant law for	gulations. etc. and further agree to be bound by the zoning regulations and restrictions of unty.
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	Zip Code Telephone # Email Address
Attorney for Owner(s)/Petitioner(s):	Representative to be contacted:
	Matthew T. Holley
Name- Type or Print ORDER RECEIVED FOR FILING	Name – Type or Print
Signature	Signature
Date	
Mailing Address State	Mailing Address City State
1	Zip Code Telephone # Ernail Address 6-2-p. (3)
Zip Code Telephone # Email Address	Zip Code Telephone # Email Address 6-2-p. (3)
A PUBLIC HEARING having been formally demanded and/or found County, this that the subject required by the zoning regulations of Baltimore County.	to be required, it is ordered by the Office of Administrative Hearings for Baltimore ect matter of this petition be set for a public hearing, advertised, and re-posted as
and the second s	
Admir	nistrative Law Judge for Baltimore County
2015-0020-A FILE DAY 7 24	114 EN 19 8 3 NOVE 18 15

Affidavit in Support of Administrative Variance (THIS AFFIDAVIT IS NOT REQUIRED OR AN HISTORIC ADMINISTRATIVE CIAL HEARING)

The undersigned hereby affirms under the penalties of perjury and upon personal knowledge to the Administrative Law Judge for Baltimore County, that the information herein given is true and correct and that the undersigned is/are competent to testify in the event that a public hearing is scheduled in the future with regard thereto. In addition, the undersigned hereby affirms that the property is not the subject of an active Code Enforcement case and that the residential property described below is owned and occupied by the undersigned.

and occupied by the und	oraigined.			
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STATE OF MARYLAND, I HEREBY CERTIFY, this	COUNTY OF BALT	IMORE, to wit:		
and for the County aforesaid	d, personally appeared	0		a Notary of Maryland, in
the Affiant(s) herein, person				
AS WITNESS my hand and	Notaries Seal Notary	Linda W Public 3/7/	(Sypon	

My Commission Expires

Zoning Property Description for 2372 Sweet Meadow Road, Baltimore, Maryland 21209

Being for the same and being known and designated as Lot No. 204 as shown on the plat entitled, "PLAT THREE, PHASE FOUR B, BONNIE VIEWE ESTATES" which plat is recorded among the Land Records of Baltimore County, Maryland in Plat Book R.D.A. No. 79, folio 113. The lot is .21 Ac or 9,147.6 Square Feet and is located in the 3rd Election District and 2nd Council District.

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

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BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 2015-

0020

Address 2372 SWEET MEADOW ROAD

Conta	ct Pers	on: _	JASO	N SEINEL	Print Your Name		Phone Number: 410-887-3391
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DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. <u>For those petitions which require a public hearing</u>, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:
Item Number or Case Number: 2015-0020-A
Petitioner: Marther T- Holley
Address or Location: 2372 Sucet Meadow Rd. Octimore, modition
PLEASE FORWARD ADVERTISING BILL TO:
Name: Metther T. Holley
Address: 2372 Sweet meedow Road
Octombre, mo 21209
Telephone Number: <u>410-241-4247</u>

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3801 Baker Schoolhouse Road Freeland, MD 21053 o 443-900-5535 m 410-419-4906 bdoak@bruceedoakconsulting.com

CERTIFICATE OF POSTING

July 30, 2014

Re:

Case Number: 2015-0020-A

Petitioner / Developer: Holley / Snyder Date of Closing: August 18, 2014

Baltimore County Department of Permits, Approvals & Inspections County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Kristen Lewis

Ladies and Gentlemen,

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at 2372 Sweet Meadow Road.

The sign(s) were posted on July 29, 2014.

Sincerely,

Bruce E. Doak

MD Property Line Surveyor #531

See the attached sheet(s) for the photos of the posted sign(s)



Land Use Expert and Surveyor







KEVIN KAMENETZ County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

August 19, 2014

Matthew T Holley Rebecca L Snyder 2372 Sweet Meadow Road Baltimore MD 21209

RE: Case Number: 2015-0020 A, Address: 2372 Sweet Meadow Road

Dear Mr. Holley & Ms. Snyder:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on July 24, 2014. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

U. Carl Richal &

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 7, 2014

Department of Permits, Approvals And Inspections

FROM:

Dennis A. Kennedy, Supervisor

Bureau of Development Plans Review

SUBJECT:

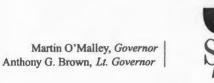
Zoning Advisory Committee Meeting

For August 11, 2014

Item No. 2015- 0020, 0021 and 0022

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

DAK: CEN cc: file





James T. Smith, Jr., Secretary Melinda B. Peters, Administrator

Date: 7/31/14

Ms. Kristen Lewis Baltimore County Office of Permits and Development Management County Office Building, Room 109 Towson, Maryland 21204

RE: **Baltimore County**

> Item No 2015-0020-A Administrative Varionio Mathew T. Holley? Rebecca Lisnyder 2372 Sweet Merdow Road.

Dear Ms. Lewis:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2015-0020 d

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

Steven D. Foster, Chief/ Development Manager

Access Management Division

SDF/raz



CHECKLIST

Comment Received	<u>Department</u>	Conditions/ Comments/ No Comment
8-7	DEVELOPMENT PLANS REVIEW (if not received, date e-mail sent)	NC
	DEPS (if not received, date e-mail sent)	
1	FIRE DEPARTMENT	
	PLANNING (if not received, date e-mail sent)	
7-31	STATE HIGHWAY ADMINISTRATION	No objection
	TRAFFIC ENGINEERING	
7-21	COMMUNITY ASSOCIATION ADJACENT PROPERTY OWNERS "Say	2370 Sweet Anead Rd.
ZONING VIOLATI	ON (Case No	
PRIOR ZONING	(Case No.	
NEWSPAPER ADV	ZERTISEMENT Date:	
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Comments, if any:		





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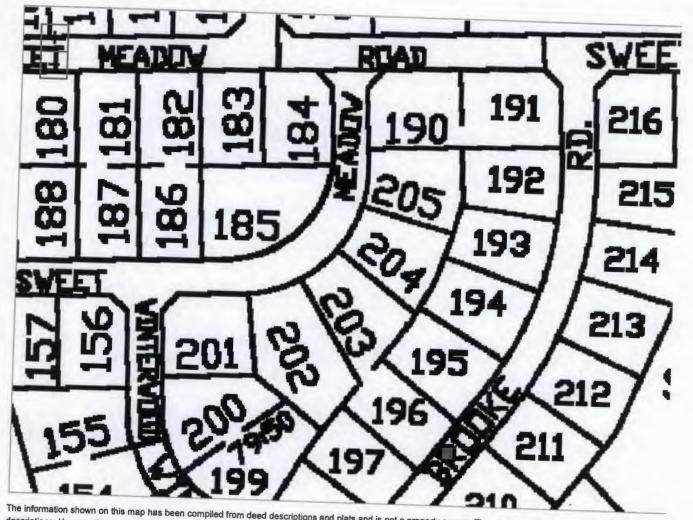




Baltimore County

Account Number: 2500007367 District: 03

New Search (http://sdat.resiusa.org/RealProperty)



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml (http://www.mdp.state.md.us/OurProducts/OurProducts.shtml).



(http://imsweb05.mdp.state.md.us/website/mosp/)

x Loading... Please

Loading... Please Wait.

Ben and Deena Jakob 2370 Sweet Meadow Rd Baltimore MD 21209

July 21st, 2014

To Whom This May Concern,

It has come to our attention that our neighbors residing at 23,72 Sweet Meadow Road wish to construct a deck at the posterior of their property and are seeking a variance for such. Please accept this correspondence as our official position on this matter.

We see no legitimate reason to object to the building of such a structure as it can only serve to preserve and enhance the community as a whole. We have known and interacted with residents at said address since they moved in about one year ago and have found them to be respectful, upright and considerate members of the Parke at Mount Washington community. As such, there is no doubt in our minds that the deck would be used appropriately and with the utmost of sensitivity to ourselves and adjacent neighbors.

With this in mind, we would recommend to any governmental board or agency to grant any required permits or variance's to allow for the construction of this deck with no reservation or delay.

We are available to be reached at the following numbers:

Office: 410-580-1616 Cellular 443-286-3221 Cellular 410-937-9400

Respectfully Submitted, Ben and Deena Jakob

Bu Johnto Dema Jakol





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Land:		178,00	0		160,400	•	07/01/	2014	07/01/201	5
Improvements		340,50			388,600					
Total:		518,50	0		549,000		528,6	67	538,833	
Preferential Lan	d:	0				36 0 0			0	
					r Informat	ion		The section of		
Seller: BEAZER			_		8/09/2013	2026		Price: \$5	80,250	
Type: ARMS LEI	WG IH IN	MPROVED	***************************************	***************************************	/34057/ 00	JU26		Deed2:		
Seller:			_	eed1:				Price: Deed2:		
Type:	P		-	eed 1:	entratum material statement			Price:	manera delle oppletennesse	
Seller: Type:			_	1999: 100d1:				Deed2:		
- Jpo.					n Informa	tion				
Partial Exempt		Class		P -10		1/2014		07/01/201	5	
Assessments:		000			0.00					
County: State:		000			0.00					
Municipal:		000				0.00		0.00 0.00		
Tax Exempt:			\$	pecial	Tax Reca					
Exempt Class:				IONE						
			Homosto	ad Ani	nlication I	nformatio	2			





Baltimore County

New Search (http://sdat.resiusa.org/RealProperty)

District: 03 Account Number: 2500007366



The information shown on this map has been compiled from deed descriptions and plats and is not a property survey. The map should not be used for legal descriptions. Users noting errors are urged to notify the Maryland Department of Planning Mapping, 301 W. Preston Street, Baltimore MD 21201.

If a plat for a property is needed, contact the local Land Records office where the property is located. Plats are also available online through the Maryland State Archives at www.plats.net (http://www.plats.net).

Property maps provided courtesy of the Maryland Department of Planning ©2011.

For more information on electronic mapping applications, visit the Maryland Department of Planning web site at www.mdp.state.md.us/OurProducts/OurProducts.shtml] (http://www.mdp.state.md.us/OurProducts/OurProducts.shtml)



(http://imsweb05.mdp.state.md.us/website/mosp/)

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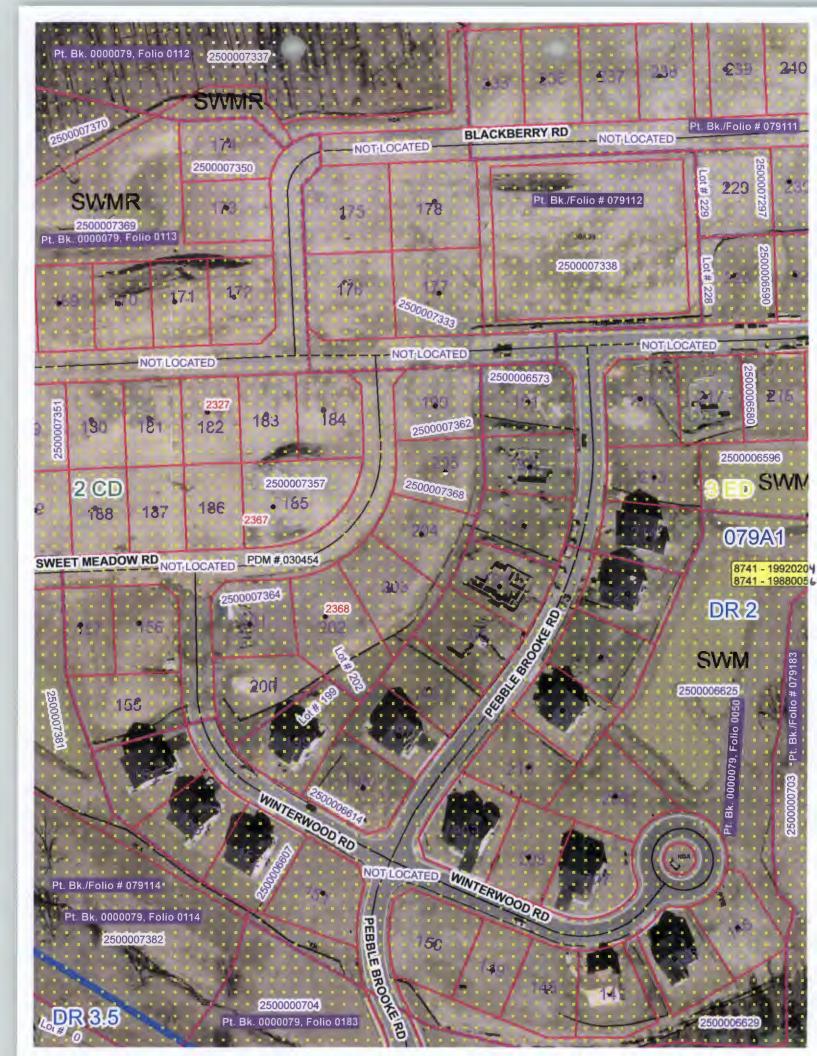












ZONING HEARING PLAN FOR ARIANCE

ADDRESS: 2372 SWEET MEADOW ROAD, BALTIMORE, MARYLAND 21209

OWNERS NAMES: MATTHEW THOMAS HOLLEY AND REBECCA LYNN

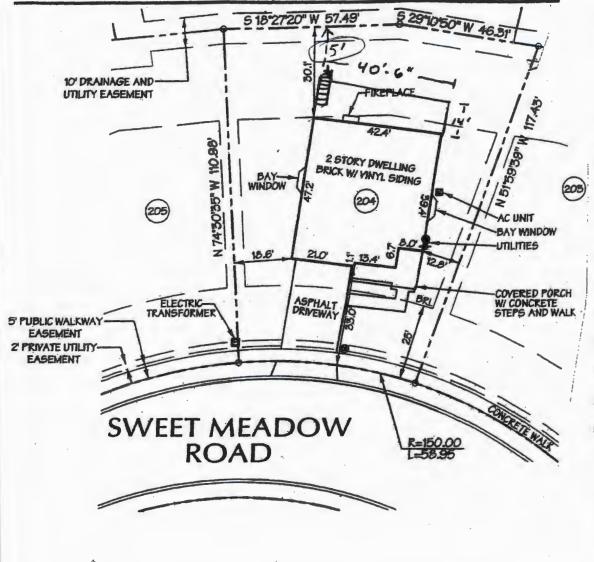
SNYDER

SUBDIVISION NAME BONNIE VIEW ESTATES PHASE 4B LOT# 204

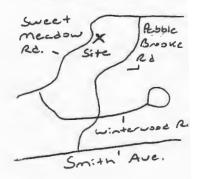
BLOCK # MA

PLAT REFERENCE: 79-113 10 DIGIT TAX # 2500007367

DEED REFERENCE # BOOK 34350, PAGES 426-432



Site Vicinity Map



Map is not to scale

Zoning Map# 079 # 1

Site Zoned DR 2

Election District 3

Council District 2

Lot Area Acreage .21 Ac.

Or Square Feet 9,147.6 S.F.

Historic? No

In CBCA? No

In Flood Plain? No

Water: Public

Sewer: Public

Prior Hearing? NA YES

1992-0204 PRIOR

LOOES NUT AFFECT THIS

RESIDENTIAL PROJECT

Plan Drawn by Matthew T. Holley Date: 07/18/2014 Scale: 1" = 30'

2015-0020-A

Pet. ELR. 1

ZONING HEARING PLAN FOR ARIANCE

ADDRESS: 2372 SWEET MEADOW ROAD, BALTIMORE, MARYLAND 21209

OWNERS NAMES: MATTHEW THOMAS HOLLEY AND REBECCA LYNN

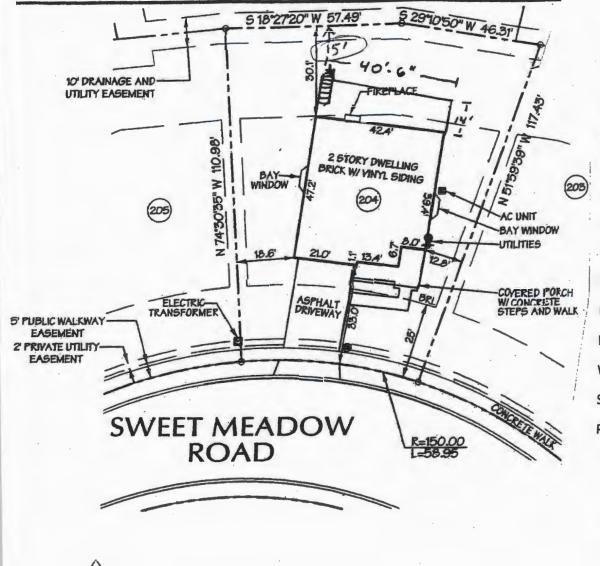
SNYDER

SUBDIVISION NAME BONNIE VIEW ESTATES PHASE 4B LOT# 204

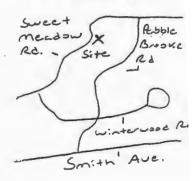
BLOCK # MA

PLAT REFERENCE: 79-113 10 DIGIT TAX # 2500007367

DEED REFERENCE # BOOK 34350, PAGES 426-432



Site Vicinity Map



Map is not to scale Zoning Map# 079 1

Site Zoned DR 2

Election District 3

Council District 2

Lot Area Acreage .21 Ac.

Or Square Feet 9,147.6 S.F.

Historic? No

In CBCA? No

In Flood Plain? No

Water: Public

Sewer: Public

Prior Hearing? No YES

1992-0204 PRIOR 1988-0056 / PROJECT

LOUES NOT AFFECT THIS RESIDENTIAL PROJECT

Plan Drawn by Matthew T. Holley Date: 07/18/2014 Scale: 1" = 30'

2015-0020-A

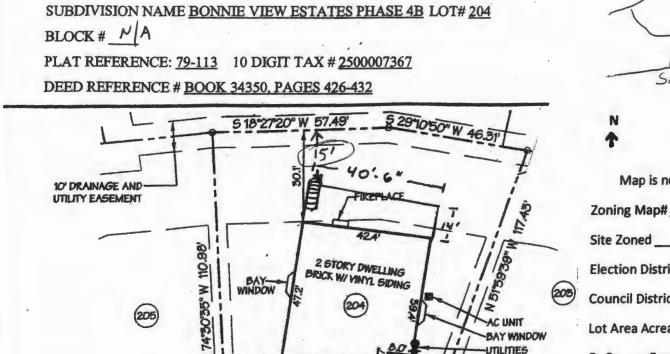
ZONING HEARING PLAN FO

LANCE

ADDRESS: 2372 SWEET MEADOW ROAD, BALTIMORE, MARYLAND 21209

OWNERS NAMES: MATTHEW THOMAS HOLLEY AND REBECCA LYNN

SNYDER



ASPHALT WI CONCRETE STEPS AND WALK

BAY WINDOW UTILITIES

COVERED PORCH

Water: Public

Sewer: Public

Prior Hearing? No YES

1992-0204 PRIOR 1988-0056 / PROJECT

LOUES NOT AFFECT THIS ! RESIDENTIAL PROJECT



5' PUBLIC WALKWAY EASEMENT

2' PRIVATE UTILITY EASEMENT

Plan Drawn by Matthew T. Holley Date: 07/18/2014 Scale: 1" = 30'

18.6

SWEET MEADOW

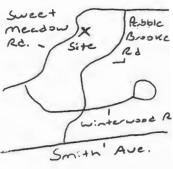
ROAD

ELECTRIC

TRANSFORMER

2015-0020-A

Site Vicinity Map



Map is not to scale

Zoning Map# 079 1

Site Zoned ____ DR 2

Election District 3

Council District 2

Lot Area Acreage .21 Ac.

Or Square Feet 9,147.6 S.F.

Historic? No

In CBCA? No

In Flood Plain? No

ZONING HEARING PLAN FOR ARIANCE

ADDRESS: 2372 SWEET MEADOW ROAD, BALTIMORE, MARYLAND 21209

OWNERS NAMES: MATTHEW THOMAS HOLLEY AND REBECCA LYNN

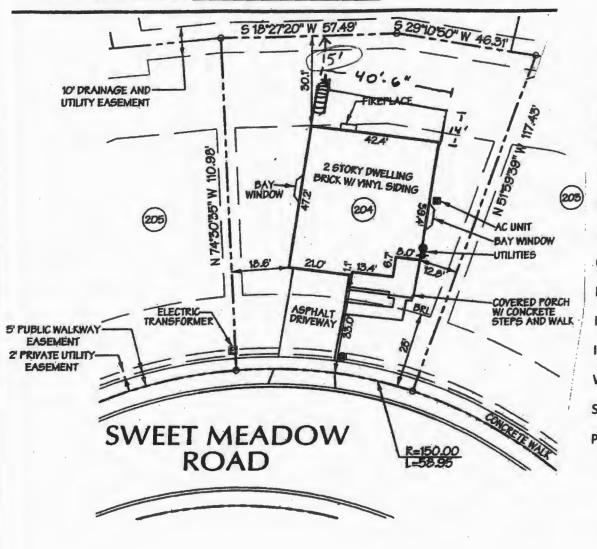
SNYDER

SUBDIVISION NAME BONNIE VIEW ESTATES PHASE 4B LOT# 204

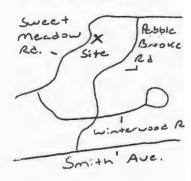
BLOCK # MA

PLAT REFERENCE: <u>79-113</u> 10 DIGIT TAX # <u>2500007367</u>

DEED REFERENCE # BOOK 34350, PAGES 426-432



Site Vicinity Map



Map is not to scale Zoning Map# 079 + 1

Site Zoned DR 2

Election District 3

Council District 2

Lot Area Acreage .21 Ac.

Or Square Feet 9,147.6 S.F.

Historic? No

in CBCA? No

In Flood Plain? No

Water: Public

Sewer: Public

Prior Hearing? No YES

1992-0204 PRIOR

1988-0056 / PROJECT LOUES NUT AFFECT THIS !

RESIDENTIAL PROJECT



Plan Drawn by Matthew T. Holley Date: 07/18/2014 Scale: 1" = 30'